

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

MECCA A. SHAKUR :
 :
 v. : PRISONER
 : Case No. 3:04CV1835 (SRU) (WIG)
 :
 WARDEN J.E. DZURENDA, et al. :

RULING AND ORDER

Plaintiff has filed a motion asking the court to compel defendants to respond to his August 11, 2005 request for production. He states that defendants were granted an extension of time, until January 29, 2006, to respond but have not done so.

Rule 37, D. Conn. L. Civ. R., provides in relevant part:

No motion pursuant to Rules 26 through 37, Fed. R. Civ. P., shall be filed unless counsel making the motion has conferred with opposing counsel and discussed the discovery issues between them in detail in a good faith effort to eliminate or reduce the area of controversy, and to arrive at a mutually satisfactory resolution.

The purpose of this rule is to encourage the parties to make a good faith effort to resolve the dispute without the intervention of the court. See Getschmann v. James River Paper Co., Inc., Civil 5:92cv163 (WWE), slip op. at 2 (D. Conn. January 14, 1993) (court should not "become unnecessarily involved in disputes that can and should be resolved by the parties"). In addition, Rule 37(a)3 requires that any discovery motion be accompanied by a memorandum of law "contain[ing] a concise statement of the nature

of the case and a specific verbatim listing of each of the items of discovery sought or opposed, and immediately following each specification shall set forth the reason why the item should be allowed or disallowed." Copies of the discovery requests must be included as exhibits.

Plaintiff states in his memorandum that defendants objected to his request. He neither states nor provides any evidence that he has attempted to resolve the objection with defendants' counsel before filing this motion. The court will not consider plaintiff's arguments on the merits of defendants' objection until he first makes a good faith effort to resolve this matter with counsel. In addition, plaintiff has not attached a copy of the request for production to his motion.

Thus, plaintiff's motion [**doc. #32**] is **DENIED** without prejudice for failure to comply with the requirements of the court's rules.

SO ORDERED at Bridgeport, Connecticut, this 9th day of March, 2006.

/s/ William I. Garfinkel
WILLIAM I. GARFINKEL
UNITED STATES MAGISTRATE JUDGE